

ZONING TEXT AMENDMENT

September 23, 2009

ZT-6-2009

RMH Zone Amendment

Mountain View Mobile Home Park

This is a proposed amendment to Section 7-6-900P of the West Valley City Municipal Code regarding commercial uses in the Residential Mobile Home Zone (RMH).

Background:

On July 28, 2009, a West Valley City Commercial Business License application was reviewed by the Planning and Zoning Division for a beauty salon at 2771 South 2670 West. The business would be located within the club house/management office for the Mountain View Mobile Home Park. This site is located within the RMH zone and commercial uses are not permitted in this zone. The applicant, Gladys Garcia, was then notified and informed that the license could not be issued at this time. She then indicated that a salon had previously operated at this location however, it closed in 1998. The Business Licensing Division researched this location and were unable to locate records indicating that a West Valley City business license was ever issued for a beauty salon within this facility. Therefore, due to the length of time the facility has been closed and the fact that they may have been operating without the approval of West Valley City this use could not be considered non-conforming (a use that existed prior to the enactment of the applicable ordinances).

Ms. Garcia was then informed that the beauty salon could be operated as a Minor Home Occupation, as this use is permitted in the RMH Zone. Home Occupations are defined in section 7-1-103(96) as the following:

“Any lawful use conducted within a dwelling and carried on by persons residing in the dwelling unit, which use is clearly incidental and secondary to the use of the dwelling and does not change the residential character. The home occupation typically allows the home to be used for receiving mail and maintaining a business telephone.”

However, Ms. Garcia has indicated that the facilities are already in place in the club house and that her home would not accommodate the type of facility she would need for her beauty salon. Therefore, a zone text change application has been submitted for review to allow for certain commercial type uses to be conditionally approved within the RMH zone. These uses are discussed in the alternatives below.

Alternative A:

Amend section 7-6-903 of the West Valley City Municipal Code and add “Neighborhood Service Establishments” as a conditional use in the RMH Zone. This use is defined as the following:

Means low impact retail and service uses which supply necessities that usually require frequent purchasing with a minimum of consumer travel. Such uses may include, but are not limited to, bakery, bookstore, dry cleaning, hair styling shops, ice cream shop, coin laundry, medical/dental clinics, pet shop, pharmacy, photography supply, shoe repair, tailor and the like.

Alternative B:

Amend section 7-6-903 of the West Valley City Municipal Code and add only **beauty salons** and **coin laundry** as a conditional use in the RMH Zone.

Staff Alternatives:

Approval, of **Alternative A** subject to the resolution of any issues raised at the public hearing.

Approval, of **Alternative B** subject to the resolution of any issues raised at the public hearing.

Continuance, to allow for the resolution of any issues raised at the public hearing.